

PETER OLINITIS - CROSS EXAMINATION

1 dead drops where classified information was exchanged.

2 Q. And, again, you don't have any idea what Mr. Toebe told
3 her he was up to at all. You just assumed she was a
4 conspirator in his plans; correct?

5 MS. SMOLAR: Objection, Your Honor. He's asked and
6 answered the same question many times already.

7 THE COURT: Go ahead with your line of questioning.
8 I'm going to overrule your objection.

9 Go ahead, Mr. MacMahon.

10 BY MR. MACMAHON:

11 Q. Do you need me to ask that question again?

12 A. Yes, please.

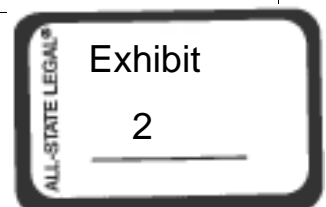
13 Q. Other than your suspicion, based upon your training and
14 experience, that she was present when these three dead drops
15 took place and that she had a phone on airplane mode, you don't
16 have any evidence whatsoever that she knew what Mr. Toebe was
17 doing with any of these plans that he took with him from the
18 Navy Yard, do you?

19 A. No -- no listening -- recorded plans.

20 Q. No anything. You don't have anything, do you?

21 A. Again, we have a lot of digital evidence to review at this
22 time.

23 Q. Did it occur to you as part of your investigation that
24 maybe Mr. Toebe was telling her he was up to something other
25 than espionage against the United States?



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1 A. I think that would be a difficult thing to sell but maybe.

2 Q. But maybe. Mrs. Toebe never had access to any classified
3 information at all, did she?

4 A. She did not.

5 Q. Right. She wasn't stealing information from the Navy Yard
6 and taking it out and bringing it home, was she?

7 A. No.

8 Q. Right. You don't have any evidence she ever even went to
9 the Navy Yard or any other facility where these documents for
10 the \$3 billion submarine might have come from; correct?

11 A. Correct.

12 Q. Never, never in her life did this woman have access to any
13 classified information whatsoever?

14 A. She never had a clearance, no.

15 Q. Okay. And you don't know of any discussions that she may
16 have had with her husband about whether he stole classified
17 information from the federal government; right?

18 A. I don't believe so.

19 Q. Now, you testified a lot about Mrs. Toebe and her SDRs.
20 That's a great word in counterespionage, isn't it, Agent?

21 A. It's a tradecraft term, sir.

22 Q. Right. And the tradecraft in this case was not good. It
23 was terrible, wasn't it?

24 A. I mean they went above and beyond to disguise things in
25 different -- you know, as we saw in a Band-Aid, in gum